

**Rhode Island Board of Regents for Elementary & Secondary Education**  
**Minutes of August 6, 2009**

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**A Meeting of the Rhode Island Board of Regents for Elementary and Secondary Education was held at the Juanita Sanchez Complex, 2<sup>nd</sup> floor library, 182 Thurbers Avenue, Providence, RI, and convened at 4:00 p.m.**

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**In Attendance:**

R. Flanders, P. Guida, C. Callahan, A. Davis, A. Cano-Morales, K. Forbes, B. Shimberg, A. Beretta

**Public Remarks**

**Jerry Kowalczyk, the Director of the East Bay Collaborative**, spoke to the group about Representative Paul Crowley's work in ensuring the financial support of Rhode Island education. He urged the members of the Board to carry on that legacy by supporting aid to public schools.

**Judy Lundsten, Cranston Career and Technical Center**, expressed her support of agenda item #9 – Capital Budget, especially the project dedicated to improving the air and cooling systems at the school.

**Lori Velino, Cranston Career and Technical Center**, talked about the diversity of the school and the good work being done at the Career and Technical Center. She asked the Regents to support the Capital Budget, as presented, especially the updating of the HVAC system.

**Suzanne Couter, Director of the Cranston Career and Technical Center**, told the Regents about the poor conditions at the center: poor air quality; windows that leak; windows that are nailed shut; and a roof that leaks. She also spoke about the school as a "school of choice" and an "original charter" school for a lot of students. She urged passage of the Capital Budget, as presented.

**Rosa DeCastillo, Lifespan/Young Voices**, expressed her disappointment that there were no Spanish-speaking people in the room, but thanked the Regents for holding their meeting out in the community.

**Heiry Borrell and Johanna German, representing Young Voices**, addressed the group on agenda item # 7. They distributed their recommendations on educator evaluations and expressed their support of passage of a state-wide evaluation process for educators. A list of their recommendations is attached.

**Tim Duffy, Executive Director of the Rhode Island School Committee Association**, spoke on agenda items # 7 (Approval of Educator Evaluation Standards) and # 8 (Approval of Code of Professional Responsibility). He told the group that his organization supports both proposals and thinks that if passed, will expand the professionalism" of the teaching profession. Mr. Duffy also spoke to the group about the proposals on collective bargaining currently being considered by the legislature. On behalf of the School Committee Association, he expressed opposition to the proposal that includes binding arbitration. He said that this proposal will not take into account job actions such as "work to rule." He cited the state of Connecticut, which has had a process of binding arbitration in place for years that has led Connecticut to being the state with the highest-paid teachers in the country. Additionally, the proposal doesn't account for student need.

**Michael MacCombie, Students for Education Reform**, expressed his support for the educator evaluation standards, as presented.

**Marcia Reback, President, Rhode Island Federation of Teachers and Health Professionals**, told the Regents that AFT is also working on an educator-evaluation framework to present to the Board of Regents, and she hopes that AFT and the Regents will be able to work together on developing the standards. She asked that before the Regents approve agenda item # 7 for public hearing they consider adding language that would require that non-tenured teachers be evaluated more than once a year. She told the Board that it is important, especially during a teacher's first few years, that teachers receive input on their performance at least three times in each year before tenure is granted. Ms. Reback also expressed her concern that the districts/schools do not have the capacity to conduct quality evaluations. (A copy of her remarks is attached.) Next Ms. Reback addressed issues related to agenda item # 8 – Educator Code of Professional Responsibility. She urged the Regents to remove from the document references related to employment issues, as distinguished from certification issues. Ms. Reback told the group that the standards should be limited to those that cover only the areas of conduct that might lead to revocation or suspension of licensure if the standards are not met. Evaluation of practice and performance should not be confused with standards of conduct. A copy of specific revisions to the document is attached.

**Steve Smith, Providence Teachers' Union**, told the Regents that in Providence 192 teachers had received layoff notices this year, and as of today only 56 teachers have been recalled. Additionally, he noted that Providence has decided that teachers will not be told where or what they will be teaching during the next school year until August 15. Mr. Smith expressed concern that if the teachers aren't told until the middle of August what their teaching assignment is, they won't be able to prepare for their students. Mr. Smith also addressed the issue of educator evaluation. He urged the Regents to make teachers a partner in their work in developing the evaluation standards.

Chairman's Remarks

Chairman Flanders recognized Providence Superintendent, Thomas Brady, and thanked him for hosting the Board of Regents meeting.

Approval of Minutes

Chairman Flanders presented the minutes of the June 4, 2009, meeting; the executive minutes of June 4, 2009; and the Special Meeting minutes of July 23, 2009, for approval.

**MOVED AND SECONDED: THAT the Rhode Island Board of Regents for Elementary and Secondary Education Approves the Minutes of the June 4, 2009 Meeting; the Executive Minutes of June 4, 2009; and the Special Meeting Minutes of July 23, 2009, for Approval.**

**VOTE: Approved unanimously.**

Approval of Appeal Item

**Quattrucci v. East Providence School Committee**

Chairman of the Board of Regents Appeals Committee, Amy Beretta, read the recommended decision of the committee, as attached.

**MOVED AND SECONDED: THAT, in the Matter of Quattrucci versus the East Providence School Committee, the Rhode Island Board of Regents for Elementary and Secondary Education Recommends that the Decision of the Commissioner on the award of Prejudgement Interest be Reversed; and the Decision of the Commissioner on Unpaid Salary is Affirmed.**

**VOTE: Approved Unanimously.**

Approval of Reauthorization of The Learning Community Charter School

Commissioner Deborah Gist told the members of the Board that the two charter school projects on the agenda, The Learning Community Charter School and Times<sup>2</sup> Academy Charter School, are being recommended for reauthorization for additional five year periods – the second for Times<sup>2</sup> Academy, after 10 years of operation; the first for The Learning Community, after 5 years of operation. RIDE has reviewed both schools and has concluded that both have demonstrated a successful track record of serving students well and that both warrant continued operation. RIDE's review and subsequent recommendation was coordinated through the BOR State and Charter Schools Committee, which reviewed various data, conducted school visits, and held face-to face dialogue with school leaders at each school. Ms. Gist asked Regent Angus Davis to comment on the reauthorizations. Mr. Davis said that The Learning Community Charter School has met AYP each year and that its results on state NECAP assessments demonstrate a consistent and sustained performance. The school performs consistently well as compared with the three urban sending districts (Providence, Pawtucket, and Central Falls) from which it enrolls its students, and in 2009 the school exceeded the statewide average score in mathematics.

**MOVED AND SECONDED: THAT, the Board of Regents for Elementary and Secondary Education Approve the Reauthorization of The Learning Community Charter School, as Amended, for a Five-Year Period Concluding at the End of the 2013-14 School Year.**

**VOTE: Approved Unanimously.**

Approval of Reauthorization of Times<sup>2</sup> Academy

Regent Davis reported to the group that Times<sup>2</sup> Academy has never failed to meet AYP, has been classified as high-performing, and continues to demonstrate a solid record of student achievement ranking consistently among the highest-performing public schools in Providence. Additionally Times<sup>2</sup> was also recently recognized as one of three high schools with a graduation rate of 100% for the class of 2008. The school has recognized challenges that it is addressing. It is working at communicating better with parents and families and is monitoring a newly implemented administrative structure to ensure that it does not negatively affect the school's overall performance.

**MOVED AND SECONDED: THAT, the Board of Regents for Elementary and Secondary Education Approve the Reauthorization of Times<sup>2</sup> Academy Charter School for a Five-Year Period Concluding at the End of the 2013-14 School Year.**

**VOTE: Approved Unanimously.**

**Approval of Educator Evaluation Standards, for Public Hearing**

Chairman Flanders reminded the members of the Board that tonight's Approval of the Educator Evaluation Standards is for public approval and that public hearings to obtain feedback will be scheduled during September and October. All input received will be brought back to the Board for consideration for final approval. Commissioner Gist said that staff has researched national best practices on teacher and administrator evaluation and reviewed locally implemented evaluation systems. The document proposes a standards-based system that will be required of every school district to ensure "meaningful" educator evaluations. The six standards, as proposed, represent the cornerstones of effective evaluation systems. The Director of the RIDE Office of Educator Quality and Certification, PaulaJo Gaines, told the members of the Board that the standards were developed in partnership with a team of educators from school districts – Barrington, Coventry, Cranston, Lincoln, West Warwick, and Scituate -- and three charter schools – The Learning Community, Paul Cuffee Charter School, and the Blackstone Academy. She said that the standards took into account recommendations from the Consortium for Policy Research in Education and the Rhode Island Urban Education Task Force. She explained that establishing parameters for evaluation systems that are at the basis for the development, deployment, and advancement stage of the model begins with the development of standards for district-based educator -evaluation systems. This document presents a set of six draft standards that describe a high-quality system:

- Standard 1: Establishes a common vision of educator quality;
- Standard 2: Every district will emphasize professional growth and continuous improvement;
- Standard 3: Evaluations must "hang together", i.e., district evaluation systems create an organizational approach to the collective professional growth and continuous improvement of groups of educators;
- Standard 4: Evaluation systems must be individualized and support educators;
- Standard 5: Systems must ensure fair, accurate, and consistent assessment of educator performance; and
- Standard 6: Systems are an integral part of the district human-capital management system and are supported by district educators who regularly review and revise the system in response to systematic feedback and changing district needs.

Regents expressed their concerns about the lack of a specific model/template for educator evaluations. Ms. Gaines emphasized that RIDE will have models in place that the systems can draw on. The models will be developed when the standards are approved and will include specific steps to improve educator performance. Additionally, RIDE will offer technical assistance to districts to help them develop and review their plans. The Regents also expressed concerns about the length of the timeline to approve and implement the standards, the need to include student achievement as an evaluation component, and the role of students in the evaluation process. Regent Shimberg requested that Footnote #5 on page 5 be deleted from the document before it is distributed for public hearing. There were no objections.

**MOVED and SECONDED: THAT, the Board of Regents for Elementary and Secondary Education Approve, for Public Hearing, the Proposed Educator Evaluation System Standards, as amended.**

**VOTE: Approved Unanimously.**

**Approval of Educator Code of Professional Responsibility**

Commissioner Gist introduced the agenda item on Educator Code of Professional Responsibility for Regents' approval. She explained that in this document Rhode Island clearly articulates expectations regarding professional responsibilities for teachers and administrators. The document reinforces the professional responsibility all educators have to make decisions that are in the best interest of students. Ms. Gaines told the members of the Board that the document was drafted as a result of the research done by the RIDE Office of Educator Quality and Certification in the area of what other states are requiring of their educators regarding ethics and professional responsibility. As a result of the research, RIDE has drafted a set of commitments that will guide professional conduct in all situations with professional and ethical implications.

**MOVED and SECONDED: THAT, the Board of Regents for Elementary and Secondary Education Approve, for Public Hearing, the Proposed Educator Code of Professional Responsibility, as Attached.**

**VOTE: Approved Unanimously.**

#### Approval of Capital Budget

Commissioner Gist told the Board that the capital budget was discussed in detail at the Regents' work session and that the budget document brought forward for consideration has no significant changes. She also said that at that work session there were concerns about the Paul W. Crowley Metropolitan Career and Technical Center proposal related to its cost and location. She reminded the Regents that the application for the school is currently being reviewed in accordance with the school-construction regulations and that the Board will have an opportunity to ask questions and approve this application for the new school at its September 3<sup>rd</sup> meeting. Next, Ms. Gist updated the Board on the new Rhode Island School for the Deaf project. She reported that the construction of the new school is under way and on schedule for occupancy in the Fall of 2010. The existing facility has been vacated and will be demolished by mid -August. The school operation has moved to a facility leased from the City of Warwick. RIDE is currently reviewing space utilization of the proposed facility to ensure that the building is optimized for programs that are aligned to the Regents' priorities. The Board will have the opportunity to discuss the facility in more detail at its August 20<sup>th</sup> work session. The Regents briefly discussed the Board of Regents' role in evaluating the projects being brought forward as part of the capital budget and the difference between the Capital Budget/Plan and the approval of school construction projects. It was agreed that a work session would be scheduled on the capital budget.

**MOVED and SECONDED: THAT, the Board of Regents for Elementary and Secondary Education Approve the FY 2011 Capital Budget totaling \$126,301,527.**

**VOTE: Approved Unanimously.**

#### RI School for the Deaf Update and Discussion

Commissioner Gist told the members of the Board that, over the past 12 – 18 months, a number of issues have surfaced that have rightfully given the Regency, RIDE senior staff, and her cause for concern about whether the public taxpayer investment in the Rhode Island School for the Deaf is a wise one. She emphasized that the Regents and Commissioner need to be able to guarantee that students who are currently enrolled at the School for the Deaf are receiving a high-quality education and that the facility is being utilized effectively and efficiently.

Ken Swanson, Director of the Office of Diverse Learners, gave the group an overview of the history of the Regents' approval of the new facility, including the plan for a "Center for Communication Services" that would include a high-quality School for the Deaf, an outreach program providing services to students in other Rhode Island schools, a statewide hearing center responsible for conducting hearing-screening services for Rhode Island schools, and a family-guidance center providing services to, and information for, infants and toddlers with hearing loss and their families. Mr. Swanson told the group that the facility is being built for a maximum capacity of 142 students, with a projected enrollment of 80. He then offered the Regents a list of options that might be considered, as follows:

- Continue construction with the original Center design, as identified, through the original strategic plan;
- Lease the additional space: Charter School, Preschool, Independent School, or Companion School for Students with Disabilities;
- Dedicate space for an Office of Early Learning with Early Intervention Services; or
- Relocate Vision Services at the new facility.

Next, Mr. Swanson described the programmatic issues at the School for the Deaf. He told the Regents that in May, 2009, the school was placed in the progressive support and intervention process. At that time, the Commissioner (McWalters) appointed Ken Swanson as the Director in charge of the PS&I process and Rick Richards as the District Representative, and he directed RI School for the Deaf and RIDE to finalize and implement a corrective action plan. Mr. Swanson then reviewed the school's current priorities: strengthen RI School for the Deaf's core competency for educating deaf and hard-of-hearing youth; transform organizational culture; complete two moves of RI School for the Deaf in two years; and begin a phased process toward seamless integration and coordination of educational services for deaf and hard-of-hearing students throughout the state. The Regents discussed the role of the School for the Deaf Trustees and the Regents' responsibilities for the school under state law.

Budget Update/ARRA Update

Budget Update: Commissioner Gist reported that she had attended a Governor's Cabinet meeting last week to discuss the FY 2010 budget deficit. The information that was provided during that meeting was consistent with the information that was discussed at the Board of Regents work session. She informed the Board that the Department will be developing budget-reduction options for the Board's review that will allow the Department to achieve the \$2.8-million reduced budget target.

ARRA Update: Stabilization application and waiver requests will be resubmitted, and preliminary conversations with USDOA indicate that they will be approved. The RTTT and other competitive-grant application guidance has been issued for public comment. The Regents will be kept posted on the progress of the applications.

Legislative Update

The Commissioner told the group that the General Assembly is expecting to reconvene during the first two weeks of September. The Regents will be notified as soon as a date has been confirmed. She also reported that she had met with Representative Edith Ajello to talk about the funding formula and that she is working on scheduling a meeting with Senator Hanna Gallo and representatives from the Funding Our Future group. The Commissioner also spoke to the Regents about the legislation pertaining to binding arbitration. She recommended to them that they take a position against that legislation because, if it is enacted, it could affect Regents' actions on failing schools.

Committee Reports

There were no Committee Reports, however Regents requested that the dates for the public hearings on Educator Evaluation Standards and Code of Professional Responsibility be forwarded to Board members for approval before they are booked so that as many Regents as possible might be able to attend.

Commissioner's Report

Commissioner Gist reported that her first 100-day public outreach has been going well. She reminded the Regents that there is a retreat scheduled for tomorrow at the Rhode Island Foundation, beginning at 8:30 a.m.

Adjournment

With unanimous consent, the meeting adjourned at 6:35 p.m.